



# County of Fairfax, Virginia

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January 15, 2016

## 2016 Planning Commission

**Peter F. Murphy**  
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Vice Chairman  
*Hunter Mill District*

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*Executive Director*

**Kimberly A.  
Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the  
Commission*

Stuart Mendelsohn, Esquire  
Holland & Knight, LLP  
1600 Tysons Boulevard, Suite 700  
McLean, VA 22102

**Re: PCA 78-P-130-02/FDPA 78-P-130-09/CDPA 78-P-130-03 – COPT FAIRVIEW,  
LLC  
Providence District**

Dear Mr. Mendelsohn:

At its January 14, 2016 meeting, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to **RECOMMEND APPROVAL** on the above referenced Proffered Condition Amendment and Conceptual Development Plan Amendment applications, subject to the execution of proffers dated December 14, 2015. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to the final decision by the Board of Supervisors.

Concurrently, the Planning Commission voted 11-0 (Commissioners Migliaccio was absent from the meeting) to **APPROVE** the above referenced Final Development Plan Amendment application, subject the development conditions dated December 30, 2015. As noted above, a copy of the verbatim is attached.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits.

Sincerely,

John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Linda Smyth, Supervisor, Providence District  
Kenneth Lawrence, Planning Commissioner, Providence District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of  
Supervisors, County Executive Office  
Carmen Bishop, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
January 14, 2016 date file

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



**PROPOSED FINAL DEVELOPMENT  
PLAN AMENDMENT CONDITIONS**

**FDPA 78-P-130-09**

**December 30, 2015**

If it is the intent of the Planning Commission to approve Final Development Plan Amendment FDPA 78-P-130-09 to permit the existing marketing center/office building to remain indefinitely, located at Tax Map 49-4 ((1)) 72, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions which supersede all previous conditions (those conditions carried forward from previous approval that apply to the subject property are marked with an asterisk\*):

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment titled "Fairview Park," prepared by Urban Ltd. and consisting of four sheets dated May 2015, as revised through November 10, 2015.
2. As shown on the FDPA, the walkway from the asphalt trail to the marketing center/office building shall be paved within six months from the date of approval.
3. At a minimum, the applicant shall maintain landscaping on the application property as generally shown on Sheet 3 of FDPA 78-P-130-08, pursuant to the approval of the Urban Forest Management Division. Replacement deciduous tree(s) shall be a minimum of two (2) to two and one-half (2-1/2) inches in caliper and replacement evergreen trees a minimum of six (6) to eight (8) feet in height at the time of planting.\*

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

Planning Commission Meeting  
January 14, 2016  
Verbatim Excerpt

PCA 78-P-130-02/FDPA 78-P-130-09/CDPA 78-P-130-03 – COPT FAIRVIEW, LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Lawrence, please.

Commissioner Lawrence: Thank you, Mr. Chairman. Mr. Chairman, I move – in three motions – that the Planning Commission – actually, it's two motions. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 78-P-130-02 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, CDPA 78-P-130-03, SUBJECT TO THE EXECUTION OF THE PROFFER CONSISTENT WITH THAT DATED DECEMBER 14<sup>TH</sup>, AS AMENDED THIS EVENING.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 78-P-130-02 and CDPA 78-P-130-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: And finally, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 78-P-130-09, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED December 20<sup>th</sup> – DECEMBER 30<sup>TH</sup>, 2015, AND THE BOARD OF SUPERVISORS' APPROVAL OF PCA 78-P-130-02 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion of that motion? All those in favor of the motion to approve FDPA 78-P-130-09, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(Each motion carried by a vote of 11-0. Commissioner Migliaccio was absent from the meeting.)

JLC